

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

**PROVIDENCE YOUTH STUDENT
MOVEMENT (PrYSM),**
Plaintiff

v.

Civil Action No. 1:19-cv-00378-WES-PAS

**JORGE ELORZA, alias, in his individual
and official capacity as Mayor of Providence,
STEVE PARÉ, in his individual and official
capacity as Public Safety Commissioner,
HUGH CLEMENTS, alias, in his individual
and official capacity as Chief of Police, and
the CITY OF PROVIDENCE, by and through
its Treasurer, James J. Lombardi, III**
Defendants

**DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT FOR
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED AND
LACK OF SUBJECT MATTER JURISDICTION**

Now come the Defendants, Jorge Elorza, Steven Paré, Hugh Clements, and the City of Providence, by and through its Treasurer James J. Lombardi, pursuant to Rule 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure to move to dismiss the amended complaint because Counts 1 through 7 fail to state a claim upon which relief can be granted and as to a lack of subject matter jurisdiction. Defendants rely on the accompanying memorandum in support thereof.

DEFENDANTS,
By their Attorneys,

JEFFREY DANA
CITY SOLICITOR

/s/Steven B. Nelson
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/s/Sharon G. Garner
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DATED: October 17, 2019

Certificate of Service

I hereby certify that on this 17th day of October, 2019, I filed this document electronically and that it is available for viewing and downloading from the ECF system.

/s/ Steven B. Nelson